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900 TEACHERS FROM PARTNER COUNTRIES

910 GENERAL PROVISIONS

911 *Definitions*

911.1 Teachers

Teachers are persons employed full time in teaching, administration or other related educational duties in accredited schools, as defined in Section 911.2.

911.2 Schools

A school is an accredited institution, recognized by the laws of the home country that provides elementary, secondary or higher education.

920 SELECTION CRITERIA

In accordance with the provisions of the Fulbright-Hays Act and, where applicable, the respective executive agreements signed pursuant thereto, Commissions may recommend to the Board such qualifications for the selection of candidates for the Program as they may deem necessary for achieving the purpose and objectives of the program.

Where no Commission has been established, such recommendations will be made by the Bureau.

921 *Personal Factors*

921.1 Citizenship

- a. Candidates in a Commission country must meet the citizenship criterion specified in the exchange agreement between the United States and that country. In a non-commission country, candidates must be citizens, nationals, or permanent residents qualified to hold a valid passport issued by that country.
- b. U.S. citizens with dual citizenship are considered to be U.S. citizens and are thereby ineligible for Fulbright grants to the United States.

921.2 Personal Factors

Candidates will be considered without respect to race, color, religion, national origin, or gender or age. Although the physical and mental health of candidates must be adequate to allow them to fulfill the terms of their grant, no qualified disabled candidate will, on the basis of disability, be subjected to discrimination.

922.4 Language Requirements

- a. Candidates must demonstrate a proficiency in the English language commensurate with their project or teaching assignment and with adjustment to life in the United States.
- b. In cases where the English language requirement would eliminate an otherwise highly desirable candidate, a waiver of the requirement may be granted with the condition that the Bureau provide the candidate with intensive English language training so that he or she is proficient in English before the start of the teaching assignment.

922.5 Evaluation of Proposals

A proposal will be judged primarily on the basis of the candidate's proposed contribution to the objectives of the Fulbright Program, and not merely on the willingness of the U.S. school to receive the candidate.

Preference will be given to proposals which offer opportunity for broad contact with young people in the United States and which meet the specific needs and interests of the U.S. school.

922.6 Multiplier Effect

A factor in the selection of grantees is the expected multiplier effect of the grantee's experience in the United States. In this context, consideration will be given to the expected benefit to the candidate's students and home institution from the grantee's exchange experience.

923 Placement Factors

923.1 Affiliation

Each grantee will be affiliated with a school in the United States.

923.2 Geographic Distribution

Every effort will be made to affiliate teachers at schools in all geographic areas of the United States, at different types and sizes of institutions.

No grantee will be placed in a school which is not in compliance with Title VI of the Civil Rights Act of 1964 (See Section 212.1b for determination of compliance.)

923.3 U.S. Citizen-Sponsored Schools Abroad

Grantees from participating countries will not be affiliated with U.S. schools outside the United States.

923.4 Change of Placement

Grantees should not change their institutional placement without prior approval from the Bureau and the Commission or post.

924 *Experience in the United States*

924.1 Previous Experience in the United States

Because an objective of the Fulbright Program is to provide an educational exchange experience to those not previously afforded such an opportunity, preference will usually be given to candidates who have not had substantial recent experience in the United States. The Board defines substantial recent experience as study, teaching, research or employment for a period aggregating more than an academic year (nine months) during the past five years.

924.2 Previous Fulbright Grants

Preference will be given to candidates who have not had previous Fulbright grants, especially within the past ten years.

However, candidates are eligible to apply for a second Fulbright grant or subsequent grants provided there is a three-year period between each grant.

The three-year rule does not apply to short-term grants of under two months.

When the prior grant was a Fulbright student grant, the above restrictions do not apply.

925 *Eligibility Factors*

925.1 Current Position

A candidate must hold a position at an educational institution at the time of application.

925.2 Members of Same Family

A husband and wife are eligible to receive grants concurrently when both have applied and have been selected through the usual procedure.

925.3 Government Employees

Government employees who meet other established qualifications are eligible for grants.

925.4 Candidates in the Field of Religion

- a. Teachers from religious institutions where the primary emphasis is educational rather than ministerial or missionary are eligible for consideration in the regular application process.
- b. Religious workers, lay or ordained, are not eligible for consideration if their projects involve engaging in pastoral, missionary, or other professional religious activities.

925.5 Military Status

- a. Candidates on active military duty must list their military title and provide information on any restrictions, which might affect performance of responsibilities under their grant.
- b. Candidates not on active duty, who have a military title without compensation, must inform the Commission or post whether they intend or are required to affiliate with the military upon return to the home country.

926 *Ineligibility Factors*

926.1 Persons Associated with the U.S. Department of State and Commissions

The following persons are ineligible for grants:

- a. Local employees of U.S. missions abroad who work for the U.S. Department of State and members of their immediate families are ineligible for grants during the period of their employment and for one year following the termination of employment.
- b. Members and staff of a Commission, for a period ending one year following termination of their service with the Commission.
- c. Immediate families (spouses and dependent children) of Department of State and Commission employees, for a period ending one year following termination of such employment. This provision does not disqualify self-supporting members of families living apart from their parents.

926.2 Persons Arrested for, Charged with, or Convicted of a Crime

A candidate who, at the time of application, or at any subsequent time prior to becoming a grantee as defined in Section 938.1, has been convicted of commission of a crime (excluding minor traffic violations), must inform the cooperating agency, the Bureau, or the Board in writing of such fact. Similarly, a candidate who at the time of application, or at any subsequent time prior to becoming a grantee as defined in Section 938.1, has been arrested for or charged with a crime (excluding minor traffic violations), and the criminal matter has not been resolved, must inform the cooperating agency, the Bureau, or the Board in writing of such fact.

If the candidate has been convicted of a crime, the Board will not select such a candidate for a grant (or, if the candidate has already been selected, the Board will annul the selection) unless

930 GENERAL TERMS OF GRANT

931 *Passport and Visas*

The grantee is personally responsible for obtaining a passport and any visas required by the countries through which the grantee will pass en route to the United States, as well as a visa for the United States. The grant does not provide for expenses related to any passport or visa fees. Such expenses must be borne by the grantee without recourse to claim for reimbursement.

932 *Full-time Nature of Grant*

Grants to teachers are made for purposes of full-time teaching. Teachers are discouraged from accepting additional employment which might conflict with the purpose of the grant.

933 *Duration of Grant*

The Board prefers grants which last a full academic year (nine months), but recognizes that grants for one semester, or two full quarters, may be necessary.

Grants may be made to teachers to teach in established and recognized summer schools, workshops, and seminars in the United States.

933.1 Extension of Grant

Upon application of the grantee, the Bureau, in consultation with the Commission or post, may, at its discretion, extend the grant to permit the grantee to complete the project. Proposals for extension of stay in the United States for other purposes will not be considered.

933.2 Renewal of Grant

A renewal grant is defined as a grant for a second year abroad in continuation of the initial one-year grant. Board approval must be secured for teachers to receive more than one renewal grant. With that exception, renewals may be made at the discretion of the Bureau, in consultation with the Commission or post, without prior approval of the Board.

Recipients of renewal grants will not receive payment for travel between the host country and the United States before the conclusion of the renewal grant.

933.3 Short-Term Grant

The Board believes that the purposes of the Fulbright Program are best achieved through extended residence abroad. Proposals for grants of less than two months are permitted (in all categories except students), but must be submitted to the Board for approval prior to

Circumstances which may warrant such short-term grants include when a candidate's availability is limited because of differences in the school year, when the affiliation is with a recognized summer school, or when a candidate is participating in a group seminar.

Candidates selected for a grant may not postpone the grant from one academic year to the next. Candidates who are not able to accept the grant within the academic year for which it was awarded may request that the Commission or post resubmit the application for the following year's competition.

935 *Remaining in the United States After Grant Expiration*

Grantees who remain in the United States after expiration of their grant must comply with U.S. immigration law. They will not be considered grantees and should not represent themselves as such.

Political instability or lack of personal safety may make it necessary to suspend temporarily a country program or part of that program. Such circumstances may necessitate short- or long-term withdrawal of grantees from that country; this may affect the grantee from that country who is in the United States as part of a match.

937 *Resignation from Grant*

When serious and compelling reasons, such as personal illness, serious illness or death of an immediate member of the family, personal safety, natural disasters or other personal situations

make it impossible for a grantee to complete the grant period, the grantee will be permitted to resign from the grant with the concurrence of the Bureau, following consultation with the Commission or post. The Board recommends that a flexible policy on return travel benefits be followed so that grantees will not be penalized for circumstances beyond their control.

937.2 Other Reasons

Resignation requests for causes other than those identified in Section 937.1 above are to be reported to the Bureau for referral to the Board, which will decide on eligibility for return travel.

938 *Revocation, Termination and Suspension of Grant*

938.1 Definitions

- a. For the purpose of Section 926.2 and this Section 938, a “grantee” is defined as a selected candidate who has signed and accepted the grant document (including all terms and conditions thereof) without qualification and has returned a signed copy to the corresponding cooperating agency.

A candidate who has been selected, but who has not signed and returned the grant document, is defined as a “selected candidate”.

In the event a selected candidate fails to sign and return a copy of the grant document within a reasonable time after it has been received by the selected candidate, the corresponding selection may be withdrawn by the Board or the cooperating agency by notice of such withdrawal delivered to the selected candidate.

- b. A grant may be revoked, terminated, or suspended. After a revocation, the grantee is considered as not having had a grant and will not be an alumnus or alumna of the Fulbright Program; after a termination, unless otherwise stated, the grant will be considered to have ended when the Board announces its decision to terminate; and after a suspension, the grant will be considered inoperative until a determination is made to reinstate, revoke or terminate the grant.

938.2 Authority to Recommend Revocation or Termination

- a. The Bureau, following consultation with the Commission or post, has the authority to recommend that the Board revoke or terminate the grant held by a grantee, who has departed the home country for the United States.
- b. The Commission or post, following consultation with the Bureau, has the authority to recommend that the Board revoke or terminate a grant to a grantee, who has not yet departed the home country for the United States.
- c. The appropriate administrator at the school in which the exchange teacher has been

placed, following consultation with the Commission, post or cooperating agency has the authority, to recommend that the Board revoke or terminate a grant.

938.3 Grounds for Revocation or Termination

In addition to the grounds specified in Section 926.2, grounds for revocation or termination include, but are not limited to: (1) violation of any law of the United States or the home country, (2) any act likely to give offense to the United States because it is contrary to the spirit of mutual understanding, (3) failure to observe satisfactory academic or professional standards, (4) physical or mental incapacitation, (5) engaging in any unauthorized income-producing activity, (6) failure to comply with the grant's terms and conditions, (7) material misrepresentation made by any grantee in a grant application form or grant document, (8) conduct which may have the effect of bringing the Department of State or the Fulbright Program into disrepute, (9) violation of the Policies of the J. William Fulbright Foreign Scholarship Board.

In addition, the Board has authority to terminate a grant if: (1) the grantee has exhausted all benefits of health and accident insurance provided to the grantee by the U.S. Department of State in connection with the grant, and continued medical treatment would lead to the grantee's becoming a public charge, or (2) the grantee requires such protracted medical treatment that successful completion of the objectives of the grant is jeopardized.

The procedure for any such termination shall be the same as that provided for the termination of grants generally, except that the recommendation for such termination, supported by the corresponding factual information, shall be made by the Bureau (not a host institution, Commission, post, or cooperating agency). In the event any such ground occurs during the period of a grant, it is the Board's policy that such grant should not be renewed or extended.

938.4 Procedure for Revocation or Termination

- a. The procedure for revoking or terminating a grant when recommended by the Bureau, Commission, or post is:
 1. The Commission, post, or cooperating agency consults initially with the Bureau of Educational and Cultural Affairs and the Staff Director of the Fulbright Scholarship Board;
 2. The cooperating agency or Bureau prepares a Statement of Fact and Recommendations for specific action by the Board and forwards them to the Staff Director;
 3. The Staff Director provides a copy of these documents to the grantee and obtains proof of delivery;
 4. The grantee sends a written reply to the Staff Director within two weeks of receipt of these documents. The Board may grant additional time for reply if circumstances warrant. The Staff Director will inform the Board if the grantee does not reply within the specified time;

5. The Staff Director provides a copy of all documents to the Commission, post, or cooperating agency for review and to the Bureau for review, evaluation, and recommendation;
6. Following receipt of the Bureau's evaluation and recommended action, the Staff Director provides a copy of all relevant documents to the Board.

The Board will inform the grantee, the Commission or post, the relevant cooperating agency, host school administrative authority and the Bureau, expeditiously and in writing, of the Board's decision and the reasons therefore.

- b. The procedure for revocation or termination of a Fulbright exchange teacher when initiated by the host school administrative authority is as follows:
 1. Before taking action, the host school's administrative authority and the cooperating agency shall prepare a Statement of Fact and Recommendations for Specific Action;
 - a. The Statement of Fact and Recommendations shall include a clear and concise description of the facts and circumstances and must fully describe the corrective measures that have been taken to assist the grantee;
 - b. The host school administrative authority signs the Statement of Fact and Recommendations and provides a copy of these documents to the grantee, who must sign and acknowledge the date of receipt;
 2. The host school's administrative authority shall give the grantee one week to respond to the Statement of Fact and Recommendation;
 3. The host school sends all relevant documents to the Bureau;
 4. If after consultation with the Bureau, the host school determines that action be taken, the school may terminate the grant and inform the grantee;
 5. The Bureau will inform the Board, the cooperating agency, and the Commission or post of the host school's decision expeditiously and in writing.

938.5 Procedure for Termination of a Matched Grant

If an exchange teacher resigns or is terminated, pursuant to Sections 837 and 838, and returns to his/her home country, the Bureau may find it necessary to terminate the grant held by the matched exchange partner. Whenever possible, the Bureau will take steps to avoid canceling the grant of the matched exchange partner. If these efforts are unsuccessful the matched exchange teacher must return to his/her home country.

938.6 Financial Issues Related to Revocation, Termination and Suspension

Unless otherwise specified by the Board, when a grant is suspended, revoked or terminated, disbursement of any allowances and benefits will cease, except for return travel, and medical benefits that may be authorized under the Bureau's accident and sickness program for exchanges; the grantee will also be required to immediately repay any advances in allowances or benefits disbursed for use in the period of time after the suspension, revocation or termination.

The Bureau, the Commission or post will inform the grantee whose grant has been suspended, terminated or revoked of the impact of the Board's decision on past and future allowances and benefits; the Bureau, the Commission or post will take the necessary measures to implement the Board's decision, and to collect any advances in allowances and benefits that must be repaid.

- a. The Board, at the recommendation of the Bureau, Commission or post may suspend a grant pending the procedure for revocation or termination of the grant, or if the grantee is arrested for, charged with, or convicted of commission of a crime, either before or after the grantee's departure for the United States, in accordance with Section 926.2.
- b. The Bureau, Commission or post may suspend a grant if:
 1. the grantee ceases to carry out the project during the grant period, and/or
 2. the grantee leaves the United States for more than two weeks without the prior authorization of the cooperating agency.
- c. A grant may also be suspended if the grantee requests suspension of the grant for personal reasons and the Commission, post or cooperating agency concur.

The provisions of this Section 938 are in addition to the provisions of Section 926.2 regarding the suspension, termination, or revocation of grants to persons arrested for, charged with, or convicted of a crime.

The Commission, or in non-commission countries, the cooperating agency will include Section 926, Section 931, this Section 938, and Section 939 in the grant document for signature and acceptance by the selected candidate.

No one or more of the Board, the U.S. Department of State, the cooperating agency, and the Commission or post will be liable for any claim or claims resulting from a grantee's failure to enter upon or to complete the program outlined in the grant, even though the failure is beyond the grantee's control, including without limitation any failure resulting from a revocation, termination, or suspension effected pursuant to Section 938 above.

940 FINANCIAL TERMS OF GRANT

The monetary amount of Fulbright grants will be set by the Commission, in consultation with the Bureau, or in non-Commission countries, by the Bureau in consultation with the post.

The Board intends that grants for teachers be adequate to assure that high quality candidates are attracted to the Program and that grantees, who participate will be able to fulfill their projects without experiencing undue financial hardship.

941 *Grant Benefits*

The Bureau, in consultation with the post, will determine grant packages for grantees from non-Commission countries. Commissions are authorized to develop grant packages for grantees from their countries. All grantees will receive supplemental health and accident insurance as described in Section 941.4.

941.1 Grant Benefits for Teachers on Home Salaries, etc.

Grantees who are on home salaries, or who will exchange positions and salaries with colleagues abroad, or who have other support, may receive a travel grant, and, as applicable, supplemental grants.

- a. The travel grant covers round-trip or initial one-way travel and such other partial travel costs as the Bureau considers necessary. All grantees must comply with the Fly-America Act and other regulations regarding travel funded by the U.S. Government.
- b. Supplemental grants provide a maintenance allowance to cover increased costs of living in the United States. A factor to be considered in determining the amount of the maintenance allowance is the relation of U.S. and local teacher salaries. Adjustments may be made during the year if living costs change appreciably or if fluctuations in the currency affect living costs.

In addition, a grant may also include special allowances for books, materials and local travel, as needed.

A grant may also include, where applicable, funds for orientation or enrichment programs.

941.2 Grant Benefits for Teachers Not on Home Salaries, etc.

Grantees not covered by Section 941.1 may receive a monthly stipend and a travel allowance.

The monthly stipend covers living costs in the United States. Grantees with accompanying dependents may also receive a dependent supplement (see Section 941.3).

The travel allowance covers round-trip transportation from a grantee's home to the place in the United States where the grantee will teach.

All airline tickets purchased using U.S. Government money must comply with the Fly America Act.

In addition, the grantee may receive an excess baggage allowance, as well as special allowances for books, materials and local travel, as needed.

A grant may also include, where applicable, funds for orientation or enrichment programs.

941.3 Dependent Supplements

A dependent is either (1) a spouse or (2) a relative (child, grandchild, parent, sibling) who is financially dependent on the grantee. Accompanying dependents are those who spend at least 80% of the grant period with the grantee in the United States.

Grantees covered by Section 941.2 who have accompanying dependents may receive an adjustment to their stipend, with a fixed additional amount for each dependent.

If the number of accompanying dependents changes after the grantee signed the grant document, the benefits may be revised at any time before the expiration of the grant to compensate for (1) accompanying dependents not previously included, and (2) dependents born or acquired after such signature.

In each case, the revision will be retroactive to the date of arrival of the additional dependent in the United States.

941.4 Health and Accident Insurance

- a. The Bureau provides all grantees with supplemental health and accident insurance during pre-departure orientation, direct travel time to the United States, while participating in grant activities in the United States, and while directly en route back to the home country. This insurance is not intended to replace the grantee's normal insurance policy, which should be maintained during the grant period.
- b. In the case of a medical emergency, grantees may also request special emergency assistance not provided by the health and accident insurance policy.
- c. Grantees must provide insurance protection for their dependents at their own expense.
- d. It is recommended that the grantee obtain adequate insurance for personal property.
- e. Neither the Board, the U.S. Department of State, nor the Commission or post assumes responsibility for any injury, accident or illness (except as may be covered by any supplemental health and accident insurance provided under Section 941.4), any loss of personal property, or any other contingency which may befall the grantee or

accompanying dependents during, or as a result of, the grantee's stay in the United States, travel or other activities related to the grant.

941.5 Other Allowances

Grantees may receive an incidental allowance for the purchase of supplies and for other expenses deemed necessary to the successful realization of the grantee's project, such as reference books, journals, educational materials and limited translation services.

Nonexpendable items purchased by the grantee with such allowances should remain with the host institution upon completion of the project, unless it is determined by the Bureau that such items are essential to the grantee for completion of the project after the grant has expired.

941.6 Orientation or Language Instruction

If orientation or special language instruction in the United States is deemed desirable and feasible, it will be provided as part of the grant. The grantee is required to attend any course so provided unless excused by the Bureau.

942 *Grants to two Members of the Same Family*

- a. When two members of the same family receive grants but both will constitute a single household, each will receive the allowance normally given a single grantee. However, only one of the grantees may receive a supplement for accompanying dependents.
- b. When the spouse of a teacher is recommended by the Bureau and the Commission or post for a grant outside the usual competition, either before the grantee's departure from the home country or after arrival in the United States, the Commission or post may request that the spouse be nominated according to regular procedures. If such a nominee (spouse) is selected by the Board, the nominee will receive the benefits and allowances of a single grantee dating from the time of selection. Travel allowance will not be granted retroactively.

943 *Duration of Benefits*

943.1 Stipends and Allowances

Stipends and allowances (other than a travel allowance) will (1) commence on the date of the grantee's arrival in the United States, or, for persons already in the United States, on the date the grant period begins and (2) terminate on the grantee's departure from the United States or on completion of the project, whichever is earlier.

943.2 Health and Accident Insurance

The supplemental health and accident insurance described in Section 941.4 will terminate upon the grantee's arrival back in the home country or on completion of the project, whichever is earlier.

943.3 Travel for Grantees Remaining in the United States after Expiration of Grant

If a grantee requests and receives permission from the Bureau to remain in the United States after the grant has expired, return transportation may be extended, but any increase in cost of travel after the initial period of the grant must be borne by the grantee.

943.4 Early Departure of Grantee

If the Bureau permits early departure of a grantee, provision of return transportation is at the discretion of the Bureau, except as specified in Section 937.

943.5 Travel for Renewal Grants

Recipients of renewal grants are not entitled to travel beyond that provided in the original grant, except that any increase in the cost of return travel will be borne by the Commission or post.

944 *Benefits from Other Sources*

944.1 Other Grants

A grantee must report to the Commission or, in non-commission countries, to the post, all scholarships, fellowships, grants, and salaries from other sources, in dollars or in foreign currency, received by the grantee during or with respect to the period covered by the teacher's grant under the Fulbright Program. Adjustments to the Fulbright grant package may be made if benefits received from other sources duplicate benefits provided by the Fulbright grant.

944.2 Honoraria and Consulting or Other Fees Received in the United States

- a. Any honoraria or other fees received in the United States for special guest lectures or similar events during the grant period may be accepted by the grantee, subject to the concurrence of the Bureau. The grantee should inform the Bureau of any such offer.
- b. Grantees may accept fees or other remuneration for work related to the Fulbright grant during the grant period provided such work does not conflict with the responsibilities under the grant.

944.3 Government Employees

A grantee on leave without pay from government employment may receive all benefits normally provided to grantees.

If the grantee continues to receive compensation from the employer agency, compensation and benefits under the Fulbright grant may be adjusted accordingly.

950 TAX LIABILITY

Grantees will be responsible for determining their individual U.S. income tax liability resulting from their grant.

960 RESPONSIBILITIES AND RIGHTS OF GRANTEES

As provided in U.S. law, all recipients of Fulbright academic exchange grants will have full academic and artistic freedom, including freedom to write, publish, and create, and no grant made by the Board may be revoked or diminished on account of the political views expressed by the recipient or on account of any scholarly or artistic activity that would be subject to the protections of academic and artistic freedom normally observed in universities in the United States. It is the policy of the Board to ensure that the academic and artistic freedoms of all persons receiving grants are protected.

Grantees are responsible for observing satisfactory academic and professional standards and for maintaining a standard of conduct and integrity that is in keeping with the spirit and intent of the Fulbright Program and that will contribute positively to the promotion of mutual understanding between the peoples of the United States and those of other countries. Grant recipients are expected to obey the laws of the United States.

A person accepting a grant is not by virtue thereof an official or employee of the U.S. Department of State or other agency of the Government of the United States of America or of an agency of the government of the home country.

970 PUBLICATIONS RESULTING FROM GRANTS

The Board welcomes the publication and dissemination through the usual channels of the results of research and other educational activities financed under the Fulbright Program. Authors should take care to avoid any impression that the Government of the United States or any agency representing it has endorsed the conclusions or approved the contents of the publication.